

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Adam Brook,

Plaintiff,

-against-

Joseph Ruotolo, Esq., Ira Salzman, Esq., Diana Rosenthal, Esq., Felice Wechsler, Esq., Mental Hygiene Legal Service, Kenneth Barocas, Esq., Ian Shainbrown, Esq., The Shainbrown Firm, L.L.C., Karl Huth, Esq., Huth, Reynolds, L.L.P., Howard Muser, Allegiant Home Care, L.L.C., Ann Reen, R.N., Mary Manning Walsh Nursing Home, Allen Logerquist, M.D., Florence Pua, M.D., Eric Nowakowski, R.P.A.-C, Towana Moe, R.N., John Michael Natividad, Arthur Akperov, Doris Bermudez, Navjot Sepla, Marie Sweet Mingoa, R.N., and John Does #1-10,

Civil Action No. 22 CV 06173 (ER)

DECLARATION IN SUPPORT

Defendants.

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JOSEPH L. FRANCOEUR, an attorney licensed to practice law in the State of New York and before this Court, hereby declares under penalty of perjury the truth of the following statements:

1. I am a partner at Wilson Elser Moskowitz Edelman & Dicker LLP, attorneys for defendant Ira Salzman, and am familiar with the pleadings and proceedings in this action. I submit this declaration in support of Salzman's motion for an Order, pursuant to Rules 9, 12(b)(1), and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Complaint.

2. Annexed as Exhibit A is a copy of the Complaint filed in this action.

WHEREFORE, for the reasons set forth in the accompanying memorandum of law and in the defendants' joint memorandum of law, it is respectfully submitted that Salzman's motion should be granted.

Dated: December 20, 2022
New York, New York

_____/s/_____
Joseph L. Francoeur

CERTIFICATE OF SERVICE

Joseph L. Francoeur does hereby certify that on this 20th day of December, 2022, a copy of the foregoing document was electronically filed with the Court and served via CM/ECF on parties registered on the Court's electronic docket, and that a paper copy of the foregoing document has been sent to the *pro se* Plaintiff via U.S. Mail, postage prepaid, at the address listed for Plaintiff on the Summons and Complaint in this case (*i.e.*, 813 Delmar Way Apt. 306, Delray Beach, Florida 33483).

Dated: December 20, 2022
New York, New York

/s/
Joseph L. Francoeur